

PRIORITY SEND

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -- GENERAL

Case No. CV 07-1403-VAP (RNBx)

Date: May 5, 2010

Title: JANE DOE -v- THE CITY OF LOS ANGELES, et al.

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PRESENT: HONORABLE VIRGINIA A. PHILLIPS, U.S. DISTRICT JUDGE

Marva Dillard
Courtroom Deputy

None Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFFS:

ATTORNEYS PRESENT FOR
DEFENDANTS:

None

None

PROCEEDINGS: MINUTE ORDER (1) DENYING DEFENDANT'S MOTION
FOR CIVIL CONTEMPT ORDER; (2) VACATING MAY 10,
2010 HEARING (IN CHAMBERS)

The Court has received and considered all papers filed in support of and opposition to Defendant City of Los Angeles's ("Defendant") Motion for Civil Contempt Order and Imposition of Additional Monetary Sanctions ("Motion"). The Court finds the Motion appropriate for resolution without a hearing, and hereby VACATES the hearing on this Motion scheduled for May 10, 2010. Local R. 7-15.

The Motion arises in connection with Plaintiff Jane Doe's ("Plaintiff") alleged failure to pay monetary sanctions awarded to Defendant by Magistrate Judge Block in connection with Plaintiff's failure to appear for a deposition she noticed on January 14, 2010. Plaintiff seeks an order of civil contempt against Plaintiff for her failure to

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pay such sanctions.¹ The appropriate remedy where a party has failed to pay discovery sanctions, however, is not to seek an order of civil contempt and further sanctions, but rather to collect on the Court's order awarding sanctions. Accordingly, the Court denies the Motion.

Plaintiff is reminded, however, of her obligation to comply with all orders of this Court, including orders awarding sanctions for discovery misconduct.

IT IS SO ORDERED.

¹Defendant further seeks a civil contempt order in connection with time spent by its counsel in responding to two notices Plaintiff gave to Defendant indicating Plaintiff's intent to seek relief ex parte which it ultimately never sought. Although such conduct may be unprofessional and discourteous, Defendant has identified no Court order prohibiting Plaintiff from engaging in such conduct. Accordingly, civil contempt is not available to remedy such conduct.